

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**IN RE:  
TENESHA BADY**

**Debtor**

) **CASE NO: 15-48653-659**  
) **Chapter 13**  
)  
) **Trustee's Objection to Confirmation**  
) **Original Confirmation Hearing set for:**  
) **January 21, 2016 10:00 am**

**TRUSTEE'S OBJECTION TO CONFIRMATION OF 1ST AMENDED PLAN**

**COMES NOW** John V. LaBarge, Jr., Standing Chapter 13 Trustee, and for his objection to confirmation states as follows:

1. The plan does not represent Debtor's best efforts to repay creditors. 11 U.S.C. section 1328(b). Debtor is below median income such that the B22C form does not determine the amount that must be paid to unsecured creditors. Per the amended Schedules I and J as filed (which schedules understate income) Debtor has \$3,330 available to make a plan payment but proposes a payment of only \$2,250.
2. The amended Schedule I understates income in that line 8a fails to include rent Debtor receives from Diave Daycare Center LLC. The business expense statement shows \$980 per month rent paid, but line 8a of Schedule I lists only the \$4,057 per month net LLC income. Line 8a of Schedule I should include both the net business income and the net rental income or the rental income should not be deducted from gross business income as an expense.

**WHEREFORE** the Trustee prays the Court enter its order denying confirmation of the proposed plan.

Dated: March 02, 2016

OBJCONFAP--DSD

/s/ Diana S. Daugherty

Diana S. Daugherty MO36347

Attorney for Trustee

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The undersigned hereby certifies that he served the above notice on this day of March 02, 2016, either through the Court's ECF system or by ordinary mail, postage pre-paid, addressed to:

/s/ Diana S. Daugherty

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